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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF MAILING

I hereby certify that this RESPONSE and the documents and disk referred to as enclosed therein are being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Box Sequence, Washington, D.C. 20231, Attn: M. Cashion, Supervisory Patent Examiner.

April C. Logan  
April C. Logan Reg. No. 33,950

June 19, 1992  
Date of Deposit

Applicant: Cochrane, et al.	)	
Serial No: 07/715,397	)	Group Art Unit: 1811
Filed: June 14, 1991	)	Examiner: S. Perkins
For: PULMONARY SURFACTANT PROTEIN AND RELATED POLYPEPTIDE	)	Our Ref. No. SCR 0395P San Diego, California June 19, 1992

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT  
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO  
ACID SEQUENCE DISCLOSURES (37 CFR \$1.821-1.825)**

Box Sequence  
Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Attn: Examiner Cashion

Dear Sir:

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures Under 37 CFR \$1.821-1.825 mailed May 21, 1992, enclosed is a replacement copy of the Sequence Listing in ASCII computer readable form, submitted as required by 37 CFR \$1.821(e), on which the Sequence Listing is labeled SCR0395S.APP.

I hereby state that the content of the paper submitted on April 13, 1992 in a Response to a Supplemental Office Action, paper number 6, mailed October 11, 1991 and the enclosed replacement computer readable copies of the Sequence Listing in ASCII format submitted in accordance with 37 CFR \$1.821(a) through (c) and (e), respectively, are the same.

In the event that these corrections do not completely satisfy the requirements set forth in the enclosed Office Action, it is requested that this correspondence act as a conditional request for a petition to revive an unintentionally abandoned application under 37 CFR §1.137. In accordance with 37 CFR §1.137(b), in the event that this application is held to be abandoned for failure to satisfy the requirements of the Action, such an abandonment of the application was unintentional. Indeed, the submission of this correspondence and its enclosures is evidence of the intent to continue prosecution of the application. The present correspondence is being submitted as a proposed response to the outstanding Office Action and should be considered as such for purposes of 37 CFR §1.137(b).

In the event this application becomes unintentionally abandoned, the petition fee in the amount of \$1,050.00 should be charged to our Deposit Account No. 19-0962. Duplicate copies of this response are enclosed for accounting purposes.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Dated: 6/19/92

By April C. Logan  
April C. Logan, Reg. No. 33,950  
THE SCRIPPS RESEARCH INSTITUTE  
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NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR § 1.821(a)(1) and (a)(2). However, this application fails to comply with one or more of the requirements of 37 CFR §§ 1.821 through 1.825 as follows:

- ☒ 1. This application clearly fails to comply with the collective requirements of §§ 1.821 through 1.825. Applicant's attention is directed to these regulations, a copy of which is attached.
- ☐ 2. This application does not conform exclusively to the requirements of §§ 1.821 through 1.825. The non-conforming material should be deleted. § 1.821(b).
- ☐ 3. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing." § 1.821(c).
- ☐ 4. This application does contain, as a separate part of the disclosure on paper copy, a "Sequence Listing." However, the "Sequence Listing" does not comply with the requirements of §§ 1.821 through 1.825 as follows:
- ☐ a. The sequence data does not comply with the symbol and format requirements of paragraphs (b) through (p) of § 1.822. Specifically: \_\_\_\_\_
- ☐ b. The "Sequence Listing" does not comply with the location and page requirements of paragraph (a) of § 1.823.
- ☐ c. The "Sequence Listing" does not comply with the information requirements of paragraph (b) of § 1.823. Specifically: \_\_\_\_\_
- ☐ d. Other: \_\_\_\_\_
- ☐ 5. The description and/or claims of the patent application mention a sequence that is set forth in the "Sequence Listing" but reference is not properly made to the sequence by use of a sequence identifier as required by § 1.821(d).
- ☐ 6. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by § 1.821(e).
- ☐ 7. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the computer readable form does not comply with the requirements of § 1.824. Specifically: \_\_\_\_\_
- ☐ 8. A statement that the content of the paper and computer readable copies are the same has not been submitted as required by § 1.821(f).
- ☐ 9. The amendment to or replacement of the paper and/or computer readable copies of the "Sequence Listing" does not comply with the requirements of § 1.825(a) through (c).
- ☐ 10. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable. Applicant must provide a substitute copy of the data in computer readable form accompanied by a statement that the substitute data is identical to that originally filed. § 1.825(d). Specifically: \_\_\_\_\_
- ☒ 11. Other: See the attached copy of the Raw Sequence Listing

APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE ABOVE REQUIREMENTS. Failure to comply with the above requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR § 1.136. Direct the response to, and any questions about, this notice to the undersigned. A copy of this notice MUST be returned with your response.



For: Manager, Application Processing Division  
(703) 308-1202 or 308- \_\_\_\_\_



Shuill M. B. [Signature]  
Examining Group 1714  
(703) 308- 5624